

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

ERIC FLORES,

Plaintiff,

vs.

UNITED STATES ATTORNEY  
GENERAL and FEDERAL BUREAU  
OF INVESTIGATION,

Defendants.

CV 15-91-H-DLC-JTJ

ORDER

**FILED**

**JAN 14 2016**

Clerk, U.S. District Court  
District Of Montana  
Missoula

United States Magistrate Judge John T. Johnston entered his Order, Findings and Recommendations on October 21, 2015, recommending denying Plaintiff Eric Flores's ("Flores") Motion to Proceed in Forma Pauperis and dismissing this matter with prejudice. Flores failed to timely object to the Findings and Recommendations, and so waived his right to de novo review of the record. 28 U.S.C. § 636(b)(1)(C). This Court reviews for clear error those findings and recommendations to which no party objects. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United*

*States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Having reviewed the Findings and Recommendations, the Court finds no clear error in Judge Johnston's conclusion that Flores's complaint is irrational and alleges complaints against the federal government that are fantastic, delusional, and frivolous.

There being no clear error in Judge Johnston's Findings and Recommendations, IT IS ORDERED that:

(1) Judge Johnston's Findings and Recommendations (Doc. 5) are ADOPTED IN FULL.

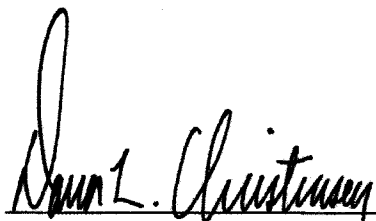
(2) Flores's Motion to Proceed in Forma Pauperis (Doc. 1) is DENIED

(3) This matter is frivolous and DISMISSED with prejudice.

(4) The Clerk of Court is directed to close the case and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

(5) The Clerk of Court is directed to discard any motion for reconsideration or rehearing.

Dated this 14<sup>th</sup> day of January, 2016.

  
Dana L. Christensen, Chief District Judge  
United States District Court